

UNITED STATES DISTRICT COURT

Eastern District of North Carolina

United States of America

VS.

**ORDER OF PROBATION
UNDER 18 U.S.C. §3607**

Darryl Smith Jr

Case Number: 5:10-M-1318-1

The defendant having been found guilty of an offense described in 21 U.S.C. §844, and it appearing that the defendant (1) has not, prior to the commission of such offense, been convicted of violating a federal or state law relating to controlled substances, and (2) has not previously been the subject of a disposition under this subsection.

IT IS ORDERED that the defendant is placed on probation as provided in 18 U.S.C. §3607 for a period of twelve (12) months without a judgment of conviction first being entered. The defendant shall comply with the standard conditions of probation set forth on the reverse of this Order, and the following special conditions:

The defendant shall:

Signature of Judicial Officer

James E. Gates, USMT

Name and Title of Judicial Officer

CONSENT OF THE DEFENDANT

I have read the proposed Order of Probation Under 18 U.S.C. §3607 and the Conditions of Probation. I understand that if I violate any conditions of probation, the court may enter a judgment of conviction and proceed as provided by law. I consent to the entry of the Order.

I also understand that, if I have not violated any condition of my probation, the Court, without entering a judgment of conviction, (1) may dismiss the proceedings and discharge me from probation before the expiration of the term of probation, or (2) shall dismiss the proceedings and discharge me from probation at the expiration of the term of probation.

My date of birth is 3/21/1987, and I am/am not entitled to an expungement order as provided in 18 U.S.C. §3607, if the proceedings are dismissed.

Jeff Hollis for Darren Smith
Signature of Defendant

Address of Defendant

Jeff Holler

Signature of Defense Counsel

Jeff Hollers
Printed Name of Defense Counsel
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11/2/10

Date

CONDITIONS OF PROBATION

While the defendant is on probation, the defendant:

1. Shall not commit another federal, state or local crime.
2. Shall not leave the judicial district without the permission of the court or probation officer.
3. Shall report to the probation officer as directed by the court and shall submit a truthful and complete written report within the first five days of each month.
4. Shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
5. Shall support his or her dependents and meet other family responsibilities.
6. Shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
7. Shall notify the probation officer within seventy-two hours of any change in residence or employment.
8. Shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
9. Shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
10. Shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
11. Shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
12. Shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
13. Shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without permission of the court.
14. As directed by the probation officer, shall notify third parties of risks that may be occasioned by defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notification and to confirm the defendant's compliance with such notification requirement.
15. Shall not possess a firearm or destructive device.